

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2005 JAN 27 P 12:33

ROBERT BUTTERWORTH,

Plaintiff,

v.

WESTON RACQUET CLUB, INC. and

40 LOVE, INC.,

Defendants.

C.A. No. 1:04-CV-10425 MEL

WESTON RACQUET CLUB, INC.,

Plaintiff-in-Counterclaim,

v.

ROBERT BUTTERWORTH,

Defendant-in-Counterclaim

JOINT STATEMENT
PURSUANT TO LOCAL RULE 16.1

Pursuant to the Court's Notice of Scheduling Conference and Local Rule 16.1, the parties hereby submit this Joint Statement.

PROPOSED DISCOVERY PLAN

The parties jointly propose the following discovery plan:

1. Automatic discovery pursuant to Rule 26(b) of the Federal Rules of Civil Procedure – to be exchanged by February 15, 2005.
2. Document requests and interrogatories, if any, and responses thereto to be served on or before June 15, 2005.

3. Depositions to be completed by October 15, 2005.

PROPOSED SCHEDULE FOR FILING OF MOTIONS

1. Motions to Dismiss and Motions to Amend to be filed on or before June 15, 2005.
2. Motions for Summary Judgment to be served and filed on or before January 15, 2006.

TRIAL BY MAGISTRATE JUDGE

The plaintiff consents to a trial by a magistrate judge; however the defendant, at this time, does not.

CERTIFICATION

Counsel and an authorized representative of each party hereby affirm that each party and that each party's counsel have conferred (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of